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Chairman: Mrs. ESPINOSA (Mexico)

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The meeting was called to order at 10.05 a.m.

AGENDA ITEM 110: HUMAN RIGHTS QUESTIONS (continued) (A/53/3 (Parts I and II), A/51/81, A/51/87, A/51/90, A/51/114, A/51/208-S/1996/543, A/51/210, A/51/462-S/1996/831; A/C.3/51/9)

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(d) COMPREHENSIVE IMPLEMENTATION OF AND FOLLOW-UP TO THE VIENNA DECLARATION AND PROGRAMME OF ACTION (continued) (A/51/36)

(e) REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS (continued) (A/51/36)

(a) IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS (continued) (A/C.3/51/L.34 and L.35)

1. Mr. AL-HUMAIMIDI (Iraq) said that the consideration of item 110 (a), (b) and (c) should make it possible to gain a better knowledge of the situation of human rights and determine ways of promoting those rights throughout the world. In order to contribute effectively to the achievement of that objective, the special rapporteurs must demonstrate objectivity and neutrality. Unfortunately, some of them were adopting political positions or were allowing themselves to be misled by tendentious information. In accordance with General Assembly resolution 50/174 of 22 December 1995, their work must be guided by the principles of non-selectivity, impartiality and objectivity.

2. After the aggression perpetrated against Iraq by the allied forces in 1991, no-fly zones had been established in the north and south of Iraq under the pretext of protecting human rights. Far from being protected, the Kurds in the north had subsequently been the victims of deadly conflicts. Moreover, after the missile attacks by the United States forces on 3 and 4 September 1996, the no-fly zone had been extended. The main reason invoked by United States officials to justify their action, namely the need to defend their strategic interests, had nothing to do with the protection of human rights. It should be noted that the no-fly zone had no legal justification. The no-fly zone constituted a violation of the Iraqi people's right to self-determination and contravened the two international covenants on human rights.

3. The determination of the United States of America to intervene militarily in northern Iraq was impeding the achievement of tangible democratic progress at the national level. The hardships inflicted on the Iraqi population by the economic embargo imposed against Iraq six years previously could no longer be ignored. The maintenance of the embargo had led to such a steep rise in prices that families could not obtain the food and medicines they needed; ration cards covered only 34 per cent of the caloric needs of each individual. His Government had already described the impact of the embargo on the exercise of social, economic and political rights in Iraq (see A/C.3/51/6), about which many international organizations had expressed concern. The Secretary-General himself had stressed the deterioration of health conditions and the increase in the number of children dying of ailments linked to malnutrition and lack of adequate medical care (see A/50/1 and A/51/1). At a press conference in March 1995, the Assistant to the Regional Director for the Middle East of the World Health Organization (WHO) had stated that the health situation in Iraq had been set back 50 years.

4. In her report on the impact of armed conflict on children (A/51/306), Ms. Graça Machel had expressed the view that the international community should not impose economic sanctions without obligatory humanitarian exemptions and mechanisms for monitoring the impact of sanctions on children and other vulnerable groups. As she had stated, "sanctions should be judged against the standards of universal human rights, particularly the Convention on the Rights of the Child".

5. The reports of international organizations on the sufferings endured by the Iraqi population gave only a partial view of reality. Among the States which were trying to prolong the embargo, some - and in the first place, the United States of America - were seeking to evade their legal, ethical and humanitarian responsibilities by shifting the blame to his Government.

6. The United States of America had clearly demonstrated its intentions when it had tried to prevent the implementation of the memorandum of understanding concluded between the Secretariat of the United Nations and his Government on the implementation of Security Council resolution 986 (1995), or the "oil for food" formula. At its forty-eighth session, the Subcommission on Prevention of Discrimination and Protection of Minorities had expressed concern about information to the effect that children would continue to die after the implementation of the memorandum of understanding because it did not meet the minimum needs of the civilian population, particularly for food and medicines. The obstacles placed in the way of the implementation of the memorandum would only aggravate the situation of the Iraqi people, in violation of the provisions of paragraph 31 of the Vienna Declaration and Programme of Action which stated that food should not be used as a tool for political pressure, and the provisions of the Charter of the United Nations and the two international covenants on human rights.

7. If human rights in Iraq were to be respected, the first step was to remove the embargo. It was not possible to talk about human rights and remain silent about the genocide against the entire Iraqi population.

8. Mrs. RUSSELL (Barbados), speaking on behalf of the States members of the Caribbean Community (CARICOM) regarding agenda item 110, subitems (b), (c), (d)

and (e), said that recognition of the right to development and affirmation of the equality of women marked a crucial stage in the promotion of the fundamental rights of the human person. It had taken more than 20 years for the international community to recognize the right to development as a fundamental right.

9. In its Human Development Report 1996, UNDP emphasized that in the long run, the promotion of human rights and human growth must proceed together. That was why the international community was intensifying its efforts to tackle poverty and its causes. More than 1 billion people in the developing world lived on less than $1 per day. Poverty was a scourge which threatened political stability, social cohesion and the environment; its eradication was one of the most urgent and difficult challenges facing the modern world. It was also a prerequisite for reinforcing peace, achieving sustainable development and for the effective enjoyment of human rights.

10. The CARICOM States reaffirmed their commitment to the Vienna Declaration and Programme of Action which urged universal ratification of human rights treaties. They supported the programme and activities of the Centre for Human Rights and noted with alarm that the financial crisis at the United Nations might adversely affect the Centre's work.

11. In the light of the current difficulties, the CARICOM countries commended the work of the various human rights bodies, the strengthening of advisory services and technical cooperation activities, and the appointment of a coordinator of the Voluntary Fund for Technical Cooperation.

12. She also welcomed the continuing cooperation between the High Commissioner, the Centre for Human Rights, UNICEF and UNESCO. The violations of fundamental rights described in the report on the impact of armed conflict on children (A/51/306) were an affront to all humanity. The international community should do all it could to prevent the outbreak of fighting by addressing the socio-economic causes of conflict.

13. She took note of the work being done by UNESCO to establish a culture of peace. The World Plan of Action on Education for Human Rights and Democracy, adopted in 1993, concerned human rights in their broadest sense. It called inter alia for learning about tolerance and citizenship based on participation and emphasized the importance of mutual respect and understanding.

14. UNDP should continue its work to strengthen human rights by advocating capacity development for governance.

15. United Nations human rights programmes at the national level were essential in that they made it possible to establish dialogue with Governments; the latter should be encouraged to report more fully on the situation in their countries.

16. There were still human rights violations occurring in too many parts of the world. In the Great Lakes region of Africa she hoped that the international community would remain vigilant until order was restored. Aware of the importance of the International Civilian Mission to Haiti, the CARICOM countries had worked to have the Mission's mandate extended. They welcomed the improved human rights situation in Haiti and the Government's commitment to upholding

human rights; they also welcomed the holding of presidential elections in December 1995. However, they reaffirmed that Haiti would continue to need the international community's support, particularly for training its police forces and strengthening its judicial system.

17. Finally, the member States of CARICOM reiterated their support for the United Nations system, which was increasingly being called upon to intervene whenever a new crisis arose and posed a threat to human rights anywhere in the world.

18. Mr. MOREIRA GARCIA (Brazil) said that the wave of democratization that had swept through the world in the late 1980s and early 1990s had raised hopes of a widespread strengthening of human rights. Regrettably, the world continued to be confronted by civil strife, ethnic cleansing, lawlessness and extreme poverty, all of which posed a considerable challenge to the full enjoyment of human rights. Although the principle of the universality of human rights had been reaffirmed at Vienna in 1993, some Governments sought to resist international human rights monitoring, invoking national traditions and customs. Others attached importance solely to civil and political rights, ignoring the fact that human rights were interdependent.

19. The protection of human rights as a whole must be based upon standards set by the international community, at United Nations conferences. By reinforcing monitoring and cooperation mechanisms conferences had laid the foundations for a new era of action in respect of human rights.

20. National Governments had an essential role to play in the enforcement of international standards, but many of them were unable to do so because they lacked material and human resources. The United Nations must therefore play a key role in ensuring that those Governments receive international technical and financial cooperation in order to build effective institutions for the strengthening of democracy, the rule of law and the administration of justice. His delegation was currently working with others to prepare a draft resolution on the strengthening of the rule of law. He urged all interested delegations to support that important text.

21. Brazil attached great importance to the work of the Centre for Human Rights, and hoped that the restructuring of the Centre would enhance its capacity to provide assistance.

22. Scope for criticism and debate on human rights had gradually created increased awareness of issues in Brazil, and a new profile of governmental action, in conjunction with non-governmental organizations, had emerged. Pursuant to one of the recommendations of the Vienna Conference and after consultation with non-governmental organizations, scholars and human rights experts, the Government had set up a national plan of action on human rights to identify obstacles to the enjoyment of those rights and ways to overcome them. Concrete measures which had been identified included improved police training methods, a protection programme for witnesses of human rights violations, assistance to victims of violent crimes, transfer to civilian courts of competence to try military police crimes, and federal investigation of human rights violations. Priority had been given to the protection of the most vulnerable groups, particularly children, the indigenous population and the

black population. The State had recognized its responsibility for the deaths of persons under detention in the 1960s and 1970s. Many cases had already been examined by a commission and indemnities had been paid to the relatives of victims.

23. The Government and Brazilian society were resolved to work together to ensure full enjoyment of civil, economic, social and cultural rights, as well as political freedom, which was essential to improve the standard of living of the population. Brazil was also determined to support multilateral activities, mechanisms and standards for the protection and promotion of human rights.

24. Ms. PULLIDO-SANTANA (Venezuela) said that progress in the field of human rights depended on the level of awareness of those rights by individuals and society. The hard work of the United Nations in that field was an essential aspect of efforts to ensure peace and development. Apart from establishing generally recognized international standards, those efforts entailed strengthening national institutions, carrying out technical assistance programmes and creating various mechanisms to deal with human rights violations.

25. Promotion of and respect for human rights and fundamental freedoms were among the basic principles of Venezuela's domestic and foreign policy. As a democratic country, Venezuela had always supported initiatives to strengthen the international human rights regime and to determine those mechanisms which could best meet the needs of the human person and respond to the legitimate aspirations of civil society. That issue must be dealt with objectively and non-selectively, in close cooperation with Governments.

26. Economic and social problems could affect the enjoyment of human rights, even in States having a long-standing democratic tradition. In a democratic framework, human rights violations could be denounced, punished and rectified, and those responsible for protecting those rights could be guaranteed total freedom of action. In the interests of increased cooperation in that area, the Venezuelan Government had invited representatives of various international organizations to visit the country.

27. In Venezuela, Government and civil society were aware that the economic and social crisis was leading to human rights violations. Nonetheless, the State was determined to create mechanisms to remedy the situation. In collaboration with international financial institutions, the Government was reforming the judiciary and the prison system and taking steps to strengthen human rights protection and monitoring institutions. A national human rights commission had been set up to study the situation in Venezuela and make appropriate recommendations to the executive branch.

28. The Declaration on the Right to Development was a truly multidimensional concept, calling for equal treatment of economic, social, cultural and political rights. A favourable international environment could only encourage the promotion of human rights, particularly the right to development. The cooperation of the Bretton Woods institutions and the World Trade Organization was of crucial importance in that respect.

29. The United Nations and the international community should consider the search for solutions to development problems as a contribution to peace.

Consequently, measures should be adopted to fight poverty, which had a negative impact on democracy and the enjoyment of human rights and fundamental freedoms. In that context, Venezuela supported the setting up of an intergovernmental expert group to elaborate a strategy for promoting the right to development.

30. Venezuela welcomed the efforts of the United Nations High Commissioner for Human Rights to strengthen the Organization's activities in that field, particularly measures to restructure the Centre for Human Rights. Her delegation would support the draft resolution to be submitted under agenda item 110 (e).

31. Mr. MARTINO (Holy See), speaking on agenda item 110 (b), recalled that 1996 marked the fifteenth anniversary of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, which occupied a place of honour among United Nations human rights instruments. The need to counter intolerance and violence based on religion or belief had been reaffirmed in 1993, at the Vienna World Conference on Human Rights. He noted that, in many central and eastern European countries, where official ideology had formerly been a source of religious persecution and repression, the situation had improved considerably. It was to be hoped that such progress would extend to all parts of the world. It was the duty of Governments to promote and protect the freedom of religion, which did not mean freedom from religion; that notion arose from a distorted conception of the separation of church and State.

32. One of the principal causes of intolerance was the fear of differences. In many countries whose constitutions recognized the right to religious liberty and freedom of conscience, believers were still subjected to discrimination. In some cases, the State intruded into areas which came under the practice of religion, as had happened recently in one country where a prisoner's sacramental confession had been t ıped. Such discrimination took various forms such as exclusion from jobs, education, housing or social assistance. There were also countries where members of various religious groups were denied the rights enjoyed by those who professed the official religion. Such an attitude was contrary to the very principle of tolerance, which was not to share but to respect the beliefs of others provided that they were not contrary to public order. The answer to religious intolerance was neither indifference nor secularism. The former encouraged mankind to live as if God did not exist, and the latter had contributed to widespread disregard for the transcendancy of human life and the family.

33. To show tolerance was to recognize every person's right to search for truth, particularly religious truth and, consequently, the freedom to change one's religion or belief. Pope John Paul II, during his visit to United Nations Headquarters the previous year, had recalled that cultural and religious differences were a source of enrichment and of a deeper understanding of the mystery of human existence.

34. Mr. HAUGESTAD (Norway) said that his delegation shared the views expressed the previous day by the Irish delegation on behalf of the European Union.

35. The plight of the refugees fleeing from the fighting in eastern Zaire to some extent overshadowed the subject of the current discussion, namely human

rights instruments, and was in complete contradiction with the ideals that the Third Committee was supposed to uphold. It was clear that the human rights system was not working, both because the responsible Governments were incapable of upholding their obligations and because atrocities were being carried out by non-governmental groups which refused to pay heed to the fundamental rights of individuals.

36. That very problem had been discussed at the international workshop on minimum humanitarian standards which had been held in Capetown, in accordance with a resolution of the Commission on Human Rights. The workshop had concluded that there was a need to protect those who were exposed to extreme sufferings due to the absence of appropriate measures. The numerous ongoing conflicts throughout the world bore witness to the need for basic human rights protection. Accordingly, the Committee should seek to compile standards of humanity, which were applicable in all circumstances and which would be respected by all parties to conflicts, whether individuals, groups or Governments.

37. The workshop had therefore called upon the Secretary-General of the United Nations to undertake an analytical study in coordination with the International Committee of the Red Cross, to assess the need for a United Nations document setting out minimum humanitarian standards applicable in all situations and promoting their adoption. Norway associated itself fully with that initiative, which would be formally communicated to the Commission on Human Rights at its next session. Meanwhile the participants had encouraged Governments, international and regional organizations as well as non-governmental organizations and civil society to promote a debate on the need for such standards and on practical measures aimed at the improvement of the situation of those affected by conflicts.

38. Human rights could be protected through bilateral dialogue or multilateral monitoring through the activities of human rights mechanisms created by the United Nations. However, the effectiveness of those mechanisms depended on the goodwill of the States concerned, which regrettably was not always forthcoming.

39. The Special Rapporteur on the situation of human rights in Myanmar had not been authorized to visit that country and he had concluded that extrajudicial executions, torture and forced labour continued to occur. The major human rights violations in Myanmar were due to the absence of respect for democratic standards. His delegation once again urged the Government of Myanmar to allow its people to participate freely in the political process and to accelerate the transition to democracy, particularly through the transfer of power to democratically elected representatives. Norway also reiterated its call for an investigation into the circumstances surrounding the death in detention of its honorary consular representative, Mr. Nichols.

40. The situation of human rights in the Islamic Republic of Iran continued to be a matter for concern, particularly with regard to executions, torture and the administration of justice. Certain religious groups, including the Baha'i community, continued to be persecuted. Norway reiterated its condemnation of the fatwa proclaimed against the writer Salman Rushdie and those associated with the publication of his book. The fatwa was an intolerable infringement of the basic rights of citizens and must be brought to an end.

41. Human rights in Nigeria were negated by the use of "rule by decree" and special tribunals. The Nigerian authorities must cease violating trade-union rights and the right of freedom of expression. A prominent human rights activist, Mrs. Abiola, had been assassinated during the current year. The authorities had committed themselves to handing over power to a civilian government by October 1998. Meanwhile, he urged them to cooperate fully with the two thematic rapporteurs whom they had agreed to receive in the near future.

42. The Special Rapporteur on the situation of human rights in the Sudan had been allowed to make a second visit to that country; that was a noteworthy event. His description of the situation was, however, far from encouraging, since reports on describing progress in certain areas alternated with reports of grave human rights violations committed by agents of the Government.

43. Torture was one of the most degrading forms of treatment, and an assault on the dignity of the human being. The Special Rapporteur on torture had received allegations of the extensive practice of torture by the Turkish police. Norway deeply regretted that Turkey had not yet been willing to accept a visit by the Special Rapporteur.

44. Many of those who defended human rights had paid with their lives for their faith in the ideals proclaimed in the Universal Declaration of Human Rights. Such persons were frequently denied the right to organize themselves, saw their freedom of movement restricted and were prevented from representing victims of violations. It was therefore necessary to quickly complete and adopt the draft declaration on the rights and responsibilities of all individuals, groups and organs of society to promote and protect universally recognized universal rights and freedoms as recommended by the World Conference on Human Rights in Vienna. Most of the rights of those who defended human rights were already guaranteed by existing instruments; but there was still no framework giving explicit and clearly defined protection to human rights defenders. The Third Committee should support the Chairman-Rapporteur of the working group responsible for drafting the text of that declaration.

45. Mr. LEGAULT (Canada) said that the international community could not remain indifferent to the human rights violations that were occurring in all too many countries. The situation in Myanmar continued to deteriorate. Recent repressive measures against that country's democracy movement were a matter for increasing concern to the international community at large as well as to neighbouring countries. He called on the country's authorities to implement all pertinent United Nations resolutions.

46. Canada expected Nigeria to meet all its commitments concerning the transition to democracy and to make arrangements for the visit of the two thematic rapporteurs it had agreed to receive. Given its importance in Africa and internationally, Nigeria must set an example of full respect for human rights and fundamental freedoms.

47. Serious human rights violations had been reported in Afghanistan. Restrictions on the right of women in the areas of employment, health care and education were a matter for particular concern. All the rival factions in Afghanistan must respect all of that country's international human rights commitment.

48. Canada called on the Government of Iraq to recognize and guarantee the rights of all citizens, in particular its Kurdish and Shi'a minorities. It called on Iran to nullify the fatwa pronounced against Salman Rushdie, and to remove the obstacles to freedom of expression and freedom of assembly, in particular, to the activity of religious minorities such as the Baha'is. In the Sudan, human rights violations continued unabated, particularly in the context of the civil war in the southern part of the country. Nonetheless, the Special Rapporteur had been able to visit the Sudan and to observe the situation there first-hand. That constituted progress. Canada condemned the violence which both parties to the Burundi conflict inflicted on the civilian population in violation of every norm of international humanitarian law.

49. In the former Yugoslavia, war criminals responsible for massive human rights abuses had not yet been brought to justice. Refugees and displaced persons were still unable to return to their homes. Canada would continue to assist, but only the Governments in the region could make the peace process work.

50. Cuba must match its achievements in the field of social and economic rights with a genuine opening in the field of civil and political rights; it must rescind its repressive measures against the Concilio Cubano.

51. Some Governments maintained that human rights were a luxury that only wealthy countries could afford. That was not so. Inalienable for rich and poor alike, human rights were the only sure foundation for stability and long-term economic development. Repression must not be the price paid for development.

52. Canada recognized that China had managed to implement economic reforms which had improved its population's standard of living. Canada welcomed the dialogue it maintained with China, particularly in the area of human rights. It was deeply disturbed, however, by the intolerance of freedom of speech and by the harsh sentences which continued to be meted out to dissidents. In Indonesia, the independence displayed by the National Human Rights Commission in investigating acts of violence against one of the opposition parties was encouraging. Canada urged Indonesia and Portugal to find an internationally acceptable solution to the problem of East Timor.

53. States could not invoke a difficult internal situation - the presence of rebels or paramilitary organizations which also violated human rights - in order to justify their failure to respect those rights. On the contrary, it was their duty to break the cycle of violence and to establish a climate that was favourable to respect for human rights. Canada welcomed the decision by the Government of Sri Lanka to establish a permanent human rights commission, and urged the two parties to the conflict to find a lasting and peaceful solution. It also welcomed the initiatives taken to achieve a lasting peace in Chechnya.

54. His delegation urged the Colombian Government to cooperate fully with the United Nations human rights office to be opened shortly in Bogotá. It expressed appreciation to the Government of Guatemala for the measures it had taken to eliminate corruption and impunity. It hoped that the special measures would soon be lifted in Peru, which had achieved progress in the establishment of democratic structures.

55. There had reportedly been an alarming increase in human rights abuses in Rwanda, whose Government was nonetheless cooperating with the human rights field operation. In view of the humanitarian crisis in Rwanda and Zaire, Canada urged the Governments concerned to protect the civilian population in particular.

56. The situation of human rights had improved in certain countries. A Ministry of Human Rights had been established in Pakistan. In India, normalcy had been restored in the Punjab and elections had been held in Kashmir. The international community wished to express its appreciation to the Government of Haiti and the Government of El Salvador for sustaining the progress they had achieved in the field of human rights.

57. Without wishing to interfere in the affairs of other countries, Canada requested all Member States to fulfil their obligation to promote respect for universal standards and to protect the dignity of the human being.

58. MR. VELLISTE (Estonia) said that the announcement made by the delegation of the Russian Federation of its intention to submit a resolution on Estonia and Latvia under agenda item 110 (c) was somewhat surprising. Neither the Commission on Human Rights nor the Economic and Social Council had drawn the Third Committee's attention to the question, which had already been covered adequately by the United Nations and seemed to be of interest to the Russian Federation alone.

59. It appeared from the statement delivered by the delegation of the Russian Federation that it considered Estonia as a successor State to the Soviet Union, which was completely false. The Republic of Estonia had been established in February 1918, in other words, 78 years earlier. Between the two World Wars, Estonia had been a fully-fledged member of the League of Nations. Following the conclusion of the Molotov-Ribbentrop Pact in 1939 between Nazi Germany and the Soviet Union, Estonia had been consigned to the Soviet sphere of influence and had been occupied by the Soviets, who had incorporated it into the Union of Soviet Socialist Republics. After the Second World War, the Soviet Union had colonized Estonia by sending a population of foreign origin to settle there, in violation of the Geneva Protocols. In August 1991, however, Estonia had regained its independence and, on 17 September 1991, had become the one hundred and sixty-fourth State Member of the United Nations.

60. Four months after the re-establishment of Estonian independence, the Soviet Union had been dissolved. Thus, those persons holding passports from the former Soviet Union who were not Estonian citizens had had the choice of applying for Estonian citizenship or for citizenship of the State of their choice. About 600,000 Soviets residing in Estonia had been in that situation. Of that number, some 100,000 had left Estonia for Russia. The others had remained in Estonia and the vast majority of them had received residence permits. As non-nationals of Estonia, those persons had the right to vote in local elections but not in national elections. They were given all the time they needed to decide on their nationality. During the past five years, the number of stateless persons had steadily declined, and it was currently down to 200,000. Each month, several thousand persons chose their citizenship: Estonian or other.

61. In that respect as in others, Estonia, which prided itself on being an open and democratic civil society, had nothing to hide. That was borne out by the

numerous fact-finding missions which had visited Estonia. Those missions had confirmed that Estonian legislation and its human rights practices were in conformity with international standards, and had demonstrated the fallacy of allegations to the contrary. In that connection, he wished to draw the Third Committee's attention to the report of the Assistant Secretary-General, Mr. Ibrahima Fall, on his fact-finding mission to Estonia in 1993 (A/48/511). The Government of Estonia had even invited an informal group of Russian legal experts to visit Estonia in response to their concerns.

62. Unfortunately, it seemed that the Russian Federation gave no credit to the work of the United Nations High Commissioner for Human Rights or to the monitoring activities carried out by the Organization for Security and Cooperation in Europe (OSCE). It was regrettable that the Russian Federation was seeking to revive that issue when it had been amply proved that its allegations were baseless.

63. Mr. AL-DOSARI (Bahrain) recalled that, in his report (A/51/457), the Special Rapporteur on extrajudicial, summary or arbitrary executions had, on the basis of allegations made to him, accused Bahrain of violations of the right to life. His delegation held in high esteem the mechanisms instituted by the United Nations with a view to ensuring the protection of human rights. It was also necessary for persons with responsibilities in that area, such as Special Rapporteurs, to demonstrate accuracy and impartiality and to refrain from making accusations against States without having verified the information upon which such accusations were based. In the event, it was incumbent upon the Special Rapporteur, Mr. Bacre Waly Ndiaye, to verify the accuracy of the information which had been provided to him.

64. Mr. PACE (Malta) said that his delegation associated itself with the statement by the representative of Ireland on behalf of the European Union at the previous meeting under agenda item 110 (b) and (c).

AGENDA ITEM 110 (a): HUMAN RIGHTS QUESTIONS: IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS (continued)

Draft resolution A/C.3/51/L.34: Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights

65. Mr. SPLINTER (Canada) introduced the draft resolution on behalf of the sponsors, to which Argentina, Bulgaria, Côte d'Ivoire, Italy, Liechtenstein, Lithuania, the Netherlands, Portugal, the Republic of Korea, Romania and Sweden had been added.

66. He drew attention to the changes which had been made in the text. In operative paragraph 4, a comma and the words "rendering more transparent" should be added following the word "rationalizing". In the first line of operative paragraph 6, the words "in accordance with its mandate" should be added after the words "human rights" in the English version of the text. In operative paragraph 15, the words "to be provided at the request of the State concerned" should be added after the words "technical assistance". In operative paragraph 18, the words "coordination and" should be added before the word

"cooperation". Finally, a new operative paragraph 19 bis should be added to the text, reading:

> "Recalls, with regard to the election of the members of the human rights treaty bodies, the importance of giving consideration to equitable geographic distribution and to the representation of the principal legal systems, and of bearing in mind that the members shall be elected and serve in their personal capacity, and shall be of high moral character and recognized competence in the field of human rights."

67. Lastly, in operative paragraph 21, the words "taking measures that would facilitate the participation by representatives" should be replaced by the words "opportunities for the representatives". Other changes, still under discussion, would be communicated to the officers of the Committee as soon as they had been finalized.

68. The draft resolution recalled the need for integral and effective implementation of United Nations human rights instruments and the importance of reporting in that regard by the States parties. It called attention to the underresourcing of the Centre for Human Rights and of the agencies created by international human rights instruments. Compared with the resolutions on the topic adopted in previous years, the text under discussion contained something new. In order to reduce the burden imposed on Member States by the preparation of reports, operative paragraph 5 of the draft resolution requested that the Secretary-General should prepare a detailed analysis comparing the provisions of the International Covenants and those contained in various human rights instruments, with a view to identifying duplication of reporting required under those instruments.

69. He thanked the delegations which had participated in the revision of the text and expressed the hope that, as in previous years, the draft resolution would be adopted without a vote.

Draft resolution A/C.3/51/L.35: Commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights

70. Mr. WLOSOWICZ (Poland) introduced draft resolution A/C.3/51/L.35, of which Argentina, Chile, the Republic of Korea and Romania had also become sponsors, and read out a number of revisions to its text. In the third preambular paragraph, the words "and taking note of the improvements" and "that have occurred during the past five decades owing to national and international solidarity and efforts" should be deleted. In the penultimate line of the fourth preambular paragraph, the words "fundamental human rights" should be replaced by "human rights and fundamental freedoms".

71. A new paragraph should be added after the fifth preambular paragraph, reading: "Recalling its decision 48/416 of 10 December 1993 in which the Assembly decided to include in the provisional agenda of its fifty-third session an item entitled 'Fiftieth anniversary of the Universal Declaration of Human Rights';". An operative paragraph 6 bis should be added, reading: "Requests the Secretary-General to include in his proposed programme budget for the biennium 1998-1999 appropriate activities to celebrate the fiftieth anniversary of the Declaration". Finally, operative paragraph 7 should be divided into two

parts, the first reading: "Decides to convene, during its fifty-third session, a one-day plenary meeting on 10 December 1998 to celebrate the fiftieth anniversary of the Universal Declaration of Human Rights;" and the second, operative paragraph 7 bis, reading: "Decides to review during its fifty-second session the state of preparations for the anniversary and to consider appropriate measures in this regard, including its own contribution".

72. Exactly 50 years previously, in June 1946, the Economic and Social Council had elected the members of the newly-created Commission on Human Rights. At its first meeting, the Commission had set up a committee to draft a universal declaration of human rights. The Declaration had been adopted in December 1948. Fifty years later, visible progress had been made. All the Member States had accepted the Declaration, and the majority supported the human rights instruments based on it. Nevertheless, much remained to be done before those rights would be truly respected. The commemoration of the fiftieth anniversary of the Declaration in 1998 would be an opportunity to decide, on the eve of the twenty-first century, on ways of giving effect to the ideals contained in that instrument. the draft resolution closely followed the text of the resolution adopted by the Commission on Human Rights in April 1996. Its sponsors hoped that many delegations would join them and that the text would be adopted without a vote.

73. The CHAIRMAN announced that Belgium, Hungary, Italy, Malta, Panama, Slovakia, and the former Yugoslav Republic of Macedonia had become sponsors of the draft resolution.

The meeting rose at noon.